

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

WILDEARTH GUARDIANS, et al.,

Plaintiffs,

vs.

JANET BUCKNALL, in her
official capacity as Deputy
Administrator, et al.,

Defendants,

and

STATE OF MONTANA and
MONTANA DEPARTMENT OF
FISH, WILDLIFE, AND PARKS,

Defendant-Intervenors.

CV 23-10-M-DLC

ORDER

On July 30, 2024, the Court will hold a hearing on Plaintiffs' and Federal Defendants' cross-motions for summary judgment and Federal Defendants' motion to strike extra record material. (Docs. 32, 40, 41.) Should the Court determine that Plaintiffs are entitled to summary judgment, Plaintiffs request partial vacatur of the environmental assessment and decision authorizing Wildlife Services' (1) lethal removal of grizzly bears in Montana (or transfer of grizzly bears to other agencies

for lethal removal), unless a demonstrated need exists to protect human safety, and (2) use of traps, snares, or poisons that have the potential to harm or kill grizzly bears during the non-denning season in Montana. (*See* Doc. 33 at 50.) In the alternative, Plaintiffs request interim injunctive relief pending the agency's compliance with NEPA. (*Id.* at 51–52.) In response, Federal Defendants neglected to meaningfully address Plaintiffs' requested remedy but instead asked the Court to allow supplemental briefing on the issue. Accordingly,

IT IS ORDERED that, on or before July 22, 2024, Federal Defendants shall respond to Plaintiffs' requested relief. Plaintiffs may file an optional reply on or before July 26, 2024. Briefs shall be limited to 3,200 words, excluding the caption, table of contents, table of authorities, index of exhibits, signature blocks, and certificate of compliance.

DATED this 15th day of July, 2024.



Dana L. Christensen, District Judge
United States District Court